

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Elena Katz et al.

v.

Civil No. 10-cv-410-JL

Brian McVeigh et al.

PROCEDURAL ORDER

On August 22, 2011, this court convened an evidentiary hearing on the plaintiffs' request for appointment as next friends for their incapacitated adult daughter, Eleonora Grodman. The plaintiffs appeared with counsel, and all defendants who opposed the request appeared through counsel. Following off-the-record discussions between the court and counsel prior to the hearing, the parties agreed that, in lieu of considering the plaintiffs' request for appointment as next friends, this court was to contact Attorney Michael Chamberlain, of Manchester, New Hampshire, about seeking appointment to that role.

Attorney Chamberlain declined to seek appointment as Eleonora's next friend, however, so this court ordered counsel to try to reach agreement on another qualified person to serve as Eleonora's next friend. Counsel agreed on Attorney Greg Van Buiten of Milton, Vermont. After reviewing the docket in this matter, however, Attorney Van Buiten has informed the court that he declines to seek appointment as Eleonora's next friend.

Accordingly, counsel for the plaintiffs and for the defendants who opposed the plaintiffs' appointment as Eleonora's next friends shall confer and report to the court by the close of business on **September 30, 2011**, as to whether they can agree on another qualified person to serve as Eleonora's next friend. If agreement can be reached, this court will promptly contact the agreed-upon person about seeking the appointment. If agreement cannot be reached, counsel shall advise the court as to their soonest availability for a telephone conference to discuss how else to proceed.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Joe Laplante", is written over a horizontal line.

Joseph N. Laplante
United States District Judge

Dated: September 23, 2011

cc: Francis J. McDonough, Jr., Esq.
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